

U.S.S.N. 10/707,710
PA)

6

142482XT (GEMS 0233

REMARKS

In the Non-Final Office Action dated May 16, 2005, claims 1-20 are pending. Claims 1, 6, 10, and 15-19 are herein amended. Note that claims 1, 6, 10, and 15-19 are not herein amended for patentability reasons, but rather for clarification reasons. Claims 1, 15, and 18 are independent claims from which all other claims depend therefrom.

The Office Action states that claim 6 contains the trademark name Teflon and as such does not comply with the requirements of 35 U.S.C. 112, second paragraph. Claim 6 has been amended to replace the name Teflon with the generic form thereof, which is polytetrafluoroethylene. Note, as well, that paragraph [0029] has also been amended to expressly and clearly provide support for polytetrafluoroethylene.

The Office Action also states that claims 1-20 stand rejected under 35 U.S.C. 112, first paragraph, because the specification, while enabling for x-ray cooling systems, does not reasonably provide enablement for any and all types of radiation source cooking. Applicant is unsure what is meant by the phrase "radiation source cooking". Regardless, Applicant has herein amended claims 1 and 18, as suggested in the Office Action, to recite an "x-ray imaging tube" rather than an "imaging tube". Applicant notes that claims 1 and 18 are the only claims in which an imaging tube was originally recited, thus Applicant is unsure how this rejection applies to claims 15-17, which are independent of claims 1 and 18.

The Office Action also states that claims 1-20 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Specifically, the limitations of an "imaging tube", of an "imaging tube cooling circuit", of being "configured to fluidically couple", and of an "imaging tube vessel" is unclear. Applicant submits that claims 1, 10, and 15-19 are herein amended such that an "imaging tube" is now an "x-ray tube", an "imaging tube cooling circuit" is now an "x-ray imaging tube

U.S.S.N. 10/707,710
PA)

7

142482XT (GEMS 0233

cooling circuit", and an "imaging tube vessel" is now an "x-ray imaging tube vessel."

Applicant submits that the term "configured to fluidically couple" is proper, does not need to be altered, and is clear. "Configured to fluidically couple" means to be in fluid communication therewith through any medium. The compensation tank in claims 1 and 18 is in fluid communication with the x-ray imaging tube cooling circuit. The medium is not specifically called out or stated since Applicant feels that the claimed invention as recited is novel and has not been previously disclosed in the art. Examples of a medium that may be used are specifically called out in the specification of the present application, but to recite such limitations would unnecessarily narrow the coverage of the claims. One example medium is shown in Figure 2 and is described in paragraph [0026]. The example medium is shown as a coupling between the heat exchanger 68 and the compensation tank 80 via an expansion tube 27. Applicant feels that the claimed invention is novel, nonobvious, and is in a condition for allowance as recited, especially since there has been no evidence or showing for Applicant to believe otherwise. Applicant submits that in view of the specification and the Figures of the present application that one skilled in the art would readily understand what is meant by the term "configured to fluidically couple."

The Office Action also states that claim 10 is not meaningful since an imaging system has not been claimed. Applicant submits that claim 10 recites an imaging system for the first time. The term "an" infers that claim 10 is not referring to an imaging system previously recited or claimed. Thus, antecedent basis for the "imaging system" is not required since the terms "the" or "said" were not used. In addition, claim 10 is not claiming or reciting an imaging system as part of the claimed invention, but rather is claiming a pressure switch that prevents operation of a portion of an imaging system when pressure of the cooling fluid, recited in claim 1, is greater than or equal to a second predetermined pressure level.

U.S.S.N. 10/707,710
PA)

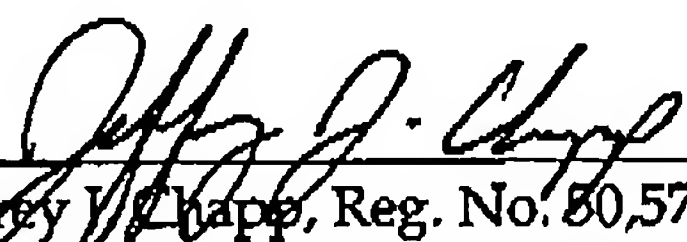
8

142482XT (GEMS 0233

In light of the amendments and remarks, Applicant submits that all of the 35 U.S.C. 112 rejections are now overcome. The Applicant has added no new matter to the application by these amendments. The application is now in condition for allowance and expeditious notice thereof is earnestly solicited. Should the Examiner have any questions or comments, he is respectfully requested to contact the undersigned attorney.

Respectfully submitted,

ARTZ & ARTZ, P.C.


Jeffrey J. Chapp, Reg. No. 50,579
28333 Telegraph Road, Suite 250
Southfield, MI 48034
(248) 223-9500

Dated: August 12, 2005